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Research Memorandum
RSB-67, March 7, 1962

TO : The Secretary
THROUGH: S/S
FROM : INR - Thomas L. Hughes

Thomas L. Hughes

SUBJECT: Gromyko's Exposition of the Soviet Position on Berlin and Germany
In His Conversations with Ambassador Thompson

The following paper has been prepared for background use in connection with the forthcoming meeting of Foreign Ministers in Geneva.

Gromyko indicated that the Soviet Government considered his conversations with Ambassador Thompson (January 2, 12, February 1, 9, and March 6) as a continuation of his earlier talks with the President and Secretary Rusk last fall.

"Submaximum" Position

In the course of the conversations, Gromyko reiterated the Soviet maximum position — that the "best solution" would be the signing of a peace treaty (or two parallel peace treaties) with the two existing German states by all countries which had fought in the anti-Hitler coalition. He then went on to describe in greater detail an alternative or, for want of a better word, "submaximum" Soviet position on the basis of which the Soviets apparently hope to carry out further negotiations.

The "submaximum" position, whose broad outlines were developed in Gromyko's talks with the President and the Secretary, provides that before the signature of a separate peace treaty with the GDR, the USSR would reach agreement with the West on the following matters: creation of a "free city" of West Berlin; "formalization and consolidation" of the existing German frontiers; "respect for" (but not specifically recognition of) the sovereignty of the GDR; non-arming of the two German states with nuclear weapons; and a NATO-Warsaw Pact nonaggression treaty. (Other European security issues — Soviet enumerations of them vary slightly but not significantly — are to be dealt with "subsequently" in a continued exchange of opinions.) These agreements, or at least the agreement on Berlin, would be "reflected" in a subsequent, presumably pro forma separate peace treaty which the USSR would conclude with the GDR.

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At the January 12 meeting Gromyko handed Ambassador Thompson two documents committing to paper the Soviet proposals for a "free city"; one was a draft protocol guaranteeing the status of the free city and the other a draft statute. Between them the two documents contained the following principal provisions:

Garrisons. The "occupation regime" would be "terminated" and West Berlin declared to be both "neutral" and "demilitarised" (though it would have its own police force).

The Soviet documents provide for the "temporary" presence in the "free city" of foreign troops to the limit of "_____ thousand men," and offer three alternatives: (1) equal contingents from the USSR, US, UK, and France, (2) UN military contingents, or (3) contingents from neutral countries. In any case, details of the disposition of military contingents (including presumably their precise size and the duration of their stay) are left to be "regulated by special agreement." Military personnel and shipments would "freely avail themselves" of land and air communications and control over these movements would be carried out reciprocally by the four powers.

An International Entity. According to the Soviet proposals, the "free city" would in effect be a city state; it would appoint and receive diplomatic, consular, and other representatives (but no military representatives); conclude international agreements (except military or politico-military alliances); and participate in international organizations (the guarantors would support its application for UN membership).

Sociopolitical System. The Soviet drafts provide that the existing "socio-political system" in West Berlin would remain unchanged and human rights guaranteed. However, other provisions call for free functioning of "democratic" parties and organizations (a term which in communist parlance is often a euphemism for communist or communist-front) and for suppression of "fascist" and "militarist" activities as well as "activity or propaganda hostile toward any state."

Communication. The Soviet drafts provide for the "free city's" right of unobstructed communication with the outside world, but stipulate that use of the land, water, and air routes will be the subject of agreements between the "free city" and the GDR in accordance with "generally accepted international norms regulating transit through foreign territory," a term which Gromyko has been unwilling to define further.

Signatories. At no point during the talks did Gromyko raise any demand for the Western powers' signing any document with the GDR, and his statements on recognition suggest that the USSR does not intend to imply such a demand.

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Gromyko specifically stated that the technical agreement on access procedures would be between the "free city" and the GDR. Gromyko did not specify who would be the signatories to the Protocol of Guarantees of the Status of the Free City or Statute of the Free City (also containing provisions on access), though he apparently assumed that they would be signed by the four powers (the US, UK, France and the USSR) and the obligations involved would be undertaken by the GDR and other peace treaty signatories by making these documents part of that treaty. (Gromyko explicitly stated his assumption that the West would not sign the peace treaty with the GDR.) However, the vagueness of the present draft documents contrasts with the June 1, 1959 Soviet draft protocol on guarantees which spelled out the four powers as guarantors and may be deliberate.

Gromyko also did not stipulate signatories for the agreement on military contingents presumably they would be between the guarantors and the "free city" administration.

Other Issues

On the other issues in the Soviet submaximum package — no nuclear weapons for either the GDR or FRG, a NATO-Warsaw Pact nonaggression treaty, recognition of frontiers and respect for the sovereignty of the GDR — Gromyko has not spelled out details, though he has maintained that all of these issues should be part of the settlement.

Gromyko did not specifically mention the nonaggression pact or non-nuclearisation proposals in the two last conversations. In the February 9 talk he especially stressed the need for agreement on borders, including that between East and West Germany as well as the Oder-Weisse line.

Throughout the conversations Gromyko has emphasized the importance of the concept of "respect" for the sovereignty of the GDR, but has been deliberately vague about what this means. The January 2 meeting made it clear that the concept did not imply formal recognition of the GDR; Gromyko argued that the US already recognizes the GDR *de facto*; cited Khrushchev to the effect that the most correct solution to the question would be UN membership and diplomatic recognition of the two German states; but went on to say that the question of diplomatic recognition is one which each government decides for itself. He added, however, that the US should take a "more sober" position with regard to the existence of the GDR.

While it has remained ill-defined, the concept of "respect" for GDR sovereignty has been at the crux of Gromyko's argumentation on the access question. He has used this concept both to justify the terms of civilian access envisaged in the Soviet "free-city" proposal and to argue against the creation of an international access authority.

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International Access Authority

Gromyko has consistently objected to US emphasis on the question of access, maintaining that it is only a portion of the larger question of changing the status of West Berlin and thus cannot be solved separately. On January 12 he suggested that agreement on access would be "far easier" if an agreement on West Berlin such as the Soviets had outlined were concluded.

From the first, Gromyko subdivided the US access proposal into two distinct elements, a corridor and an international access authority. He rejected the first out of hand at the January 2 meeting, but reserved comment on the idea of an international access authority. At the January 12 and February 1 meetings he was progressively more pointed in his statements that an international access authority would not be in accord with the sovereignty of the GDR, and on February 9 he lumped together the corridor and access authority ideas, rejecting them both.

Gromyko has continued to argue that the access provision of the Soviet "free-city" proposal offers both freedom of access and respect for the sovereignty of the GDR (which he tacitly assumes is unimpaired by the provision for transit of military goods and personnel). He has not, however, spelled out how this arrangement would operate, merely stating that all parties, including the GDR, would live up to their agreements.

An All-Berlin Solution. Plebiscite in West Berlin

Gromyko rejected the US proposal for reunification of Berlin, arguing that East Berlin is an "organic and inalienable" part of the GDR and that post-war developments left open only the question of West Berlin. He claimed that the putting forth of formulas for tearing the GDR away from its capital was evidence of unwillingness to conduct serious negotiations.

Gromyko was particularly sensitive to Ambassador Thompson's suggestion of holding a plebiscite in West Berlin, arguing that interests of other states and not just of the citizens of West Berlin were involved and that withdrawal of foreign troops would have to be a pre-condition for a plebiscite in order to assume a "really free" expression of popular opinion.

Expressions of Determination

During the course of the discussions, and particularly in the February 1, February 9, and March 9 sessions, Gromyko has expressed Soviet determination on three points.

He has stated that the Soviet Government will "never" sign a document endorsing the occupation rights of the Western powers. On February 9 he deprecated Western occupation rights, stating that the West had torn up all

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the basic quadripartite agreements, but he stopped short of saying these rights did not in fact exist. Gromyko never answered Ambassador Thompson's argument that a lapse of the occupation regime would mean the reversion of West Berlin to the Federal Republic; presumably, he wished to avoid committing himself on the question, which was dealt with from another angle in the December 27 memorandum to West German Ambassador Kroll.

Gromyko has stated that if the West does not reach an agreement with the USSR, the latter will go ahead and conclude a separate peace treaty with the GDR, but he has given no date or other indication of when the Soviet Union might carry out its separate treaty threat.

Finally, Gromyko has warned that if the West sought a test of strength, the Soviet Union was prepared for it.

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